

FISCAL NOTE

HB 1821 - SB 1927

April 14, 1997

SUMMARY OF BILL: Requires the district attorney general to seek a transfer to criminal court of a juvenile over 16 years of age who commits a serious felony or an attempt to commit such offenses. The district attorney general may seek transfer of juveniles under 16 years of age for a serious felony. If juvenile court declines to transfer, gives state right to appeal the refusal to criminal court to try the case denovo. Eliminates determinate sentencing; establishes *Violent Adolescent Offender Track* in Department of Correction for offenders 16-21 years of age; provides opportunity for early parole at age 21 years or continue sentence in adult institution.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - **\$9,976,400/Incarceration***
 \$4,097,300 Recurring
 \$92,000 Non-Recurring

Increase Local Govt. Expenditures - **\$3,396,100**
 Exceeds \$2,000,000 Long Term

Estimated state cost assumes the following:

- transfer of 232 additional juveniles to criminal court
- additional confinement to Department of Children's Services until offender reaches 16 years of age (\$2,080,542)
- additional cost for violent adolescent track program (150 offenders at a cost of \$60.63 per day versus \$41.55 per day = \$1,044,600).
- additional incarceration cost for juveniles in DOC as required by Sentencing Act of 1985 (\$9,976,400)
- additional cases at trial court level requiring two criminal judges, six assistant DAs and six assistant Pds (\$972,200 recurring and \$92,000 nonrecurring)

Estimated local cost assumes the following:

- additional pre-transfer detention cost (232 cases for 30 days at \$85 a day = \$591,600)
- pre-trial local incarceration cost (232 cases for 210 days at \$43 a day = \$2,095,000)
- pre-sentence incarceration cost (116 cases for 42 days at \$43 a day = \$209,500)
- additional cost to local education agencies to provide education to additional juveniles jailed pretrial (\$500,000)
- assumes one-time cost to provide for separation space for juveniles held in adult institutions and the need for additional juvenile detention space (exceeds \$2,000,000 in the long term)

*Section 9-6-119, TCA, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



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